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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.858 OF 2005
IN
SUMMONS FOR JUDGMENT NO.86 OF 2004
IN
SUMMARY SUIT NO.1776 OF 2003

Gobindram M. Ahuja).. Plaintiff

Versus

Ratan Irani and others).. Defendants

Mr.M.Arshad Haindaday for the Plaintiff.

None present for the Defendants.

CORAM : SMT. NISHITA MHATRE, J.

DATED : 7TH AUGUST 2006

P.C.:

. The Plaintiff has taken out the present Notice of Motion for setting aside the order dated 16th February 2005 by which the Summons for Judgment taken out by the Plaintiff was dismissed for default.

2. The Plaintiff has shown sufficient cause in the affidavit filed in support of the Motion for setting aside that order. It appears that the Advocate for the Plaintiff was present in Court till 4.30 p.m. on 16th February 2006. However, the matter reached thereafter.

3. Nobody appears for the Defendants though served.

4. For the reasons set out in the affidavit in support of the Motion, Notice of Motion allowed in terms of prayer clause (a).

5. Motion disposed off accordingly.